

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO

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REGINALD JOHNSON,

Petitioner,

v.

WARDEN BRINGHAM SLOAN,

Respondent.

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CASE NO. 5:18-cv-01846

OPINION & ORDER  
[Resolving Doc. [1](#)]

JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

Petitioner Reginald Johnson seeks a writ of habeas corpus under 28 U.S.C. § 2254.

Under Local Rule 72.2(b), this case was automatically referred to a Magistrate Judge for a Report and Recommendation.<sup>1</sup> On January 15, 2020 Magistrate Judge James R. Knepp, II issued a Report and Recommendation, recommending this Court deny Johnson's habeas petition.<sup>2</sup> The parties had until January 29, 2020 to object to the Report and Recommendation.<sup>3</sup> Neither party objected.

Because neither party objected, the Court could adopt the Report and Recommendation without review.<sup>4</sup> Still, the Court reviewed the Report and Recommendation and agrees with Magistrate Judge Knepp's determinations. As to Petitioner's first assignment of error, the Court agrees that Johnson's state evidence claim is procedurally defaulted. As to Petitioner's second assignment of error, the Court agrees that

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<sup>1</sup> [Local Rule 72.2\(b\)](#).

<sup>2</sup> Doc. [10](#).

<sup>3</sup> [28 U.S.C. § 636\(b\)\(1\)](#); [Local Rule 72.3\(b\)](#).

<sup>4</sup> *See* [28 U.S.C. § 636\(b\)\(1\)](#); [Thomas v. Arn](#), 474 U.S. 140, 149-53 (1985); [US v. Walters](#), 638 F.2d 947, 949-50 (6th Cir. 1981).

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Johnson failed to establish that the state court unreasonably applied *Strickland*<sup>5</sup> to his ineffective assistance of counsel claim.

Accordingly, the Court **ADOPTS** Magistrate Judge Knepp's Report and Recommendation and **DENIES** Johnson's habeas petition.

IT IS SO ORDERED.

Dated: May 28, 2021

s/ James S. Gwin  
JAMES S. GWIN  
UNITED STATES DISTRICT JUDGE

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<sup>5</sup> [\*Strickland v. Washington\*, 466 U.S. 688 \(1984\)](#).